
To: ADVANTEST CORPORATION (VDELRIO@S-N-H.COM)
Subject: TRADEMARK APPLICATION NO. 76235496 - SILICON FINGER - 1526.2002 (D)
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UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/235496

APPLICANT: ADVANTEST CORPORATION

CORRESPONDENT ADDRESS:

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RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

MARK: SILICON FINGER

CORRESPONDENT'S REFERENCE/DOCKET NO: 1526.2002 (D)

CORRESPONDENT EMAIL ADDRESS:

VDELRIO@S-N-H.COM

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial 76/235496

Applicant is requesting reconsideration of a final refusal dated 9 July 2003.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration and adhere to the final action as written since the proposed amendment to seek registration on the Supplemental Register is unacceptable. An application filed under Trademark Act Section 1(b), 15 U.S.C. §1051(b), on the basis of a bona fide intent to use the mark in commerce, may not be amended to the Supplemental Register until the applicant files an acceptable amendment to allege use under 37 C.F.R. §2.76 or an acceptable statement of use under 37 C.F.R. §2.88. 37 C.F.R. §2.47(c); TMEP §§815.02, 816.02 and 1102.03.

If the applicant timely files an acceptable amendment to allege use or statement of use and an amendment to the Supplemental Register, the effective filing date of the application is the date on

which the amendment to allege use or statement of use was filed. 37 C.F.R. §2.75(b); TMEP §§206.01, 816.02 and 1102.03. A new search of the Office records for references would be done at that time.

Accordingly, applicant's request for reconsideration is *denied*. 37 C.F.R. Section 2.64(b); TMEP Section 715.04. The application file will be returned to the Trademark Trial and Appeal Board for resumption of the appeal.

/Angela Micheli/
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How to respond to this Office Action:

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

